



PATENT

3762
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark W. Kroll et al.
Serial No.: 10/071,282
Filed: 02/07/2002
Docket No.: A02P1013US01
Examiner: M. Bockelman
Art Unit: 3762
For: SYSTEM AND METHOD FOR EVALUATING RISK OF MORTALITY DUE TO CONGESTIVE HEART FAILURE USING PHYSIOLOGIC SENSORS

RESPONSE TO RESTRICTION REQUIREMENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as "first class" mail in an envelope addressed to:
Mail Stop Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450, on:

Mail Stop Amendments
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

October 8, 2004
Estela Pineiro
Estela Pineiro Date 10/8/04

In the Restriction Requirement mailed October 4, 2004, the Examiner identified five patentably distinct species. The Examiner has required Applicants to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable.

Applicants elect Species 1: a method of calculating VR according to equation 5 of the specification. This election is made without traverse.

Respectfully submitted,

10/8/04

Date

Ronald S. Tamura

Ronald S. Tamura
Registration No. 43,179
Attorney for Applicants

CUSTOMER NUMBER: 36802